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TO

Amend the Law relating to the powers of Drainage Boards A.D. 1880.
in Ireland to construct Works outside the limits of their
Districts.

BE it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows:

5 1. This Act may be cited for all purposes as the Drainage and Short title.
Improvement of Lands (Ireland) Act, 1880, and together with the
Drainage and Improvement of Lands Act (Ireland), 1863, and the
Acts amending the same, may be cited as the Drainage and
Improvement of Lands (Ireland) Acts, 1863 to 1880.

10 2. From and after the passing of this Act the powers vested in drainage boards constituted under the Drainage and Improvement of Lands Act (Ireland), 1863, of executing works outside the limits of their respective districts under the provisions of the fifty-sixth section of the Act of the session of the fifth and sixth years of the reign of Her present Majesty, chapter eighty-nine, as incorporated with the said Drainage and Improvement of Lands Act (Ireland), 1863, shall be extended as follows; that is to say,

The works which any drainage board may execute outside the limits of their district shall be, besides the works mentioned in the 20 said section, any other works which the Commissioners of Public Works in Ireland shall at any time, whether before or after the completion of the works within the district, certify to be, in their opinion, necessary for preventing injury to lands outside the limits of the district by reason of the drainage works executed or to be 25 executed by the drainage board within the district: Provided that a drainage board in pursuance of the powers conferred by this Act—

(1.) Shall not acquire any lands otherwise than by agreement;
and

[Bill 290.]

Additional
powers to
construct
works out-
side the
limits of a
district.

26 & 27 Vict.
c. 88.

2 Drainage Boards (Ireland) Additional Powers. [43 & 44 VICT.]

A.D. 1880. — (2.) Shall not execute any works within the limits of the district of any other drainage board without the consent of that board, unless authorised by a Provisional Order made by the Commissioners of Public Works in Ireland, and confirmed by Parliament; and the said Commissioners may make such order in the like manner, and shall have for the purpose the like powers, as in the case of provisional orders under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the provisions of that Act with respect to provisional orders and the purchase of lands shall, so far as is consistent with the tenor thereof, apply for the purpose of provisional orders and the purchase of lands under this Act.

Supplementary provisions.

3. The provisions contained in the Drainage and Improvement of Lands (Ireland) Act, 1863, as amended by any Act or Acts, with respect to compensation to persons injuriously affected by the works executed by a drainage board, and with respect to the expenses of arbitration, and the costs and expenses of the Commissioners of Public Works, and with respect to the power of a drainage board to borrow money, and to loans or advances from the Commissioners of Public Works to a drainage board, and the security and repayment thereof, and with respect to the maintenance of such works, shall apply as if the works executed by a drainage board under this Act were works executed by the board within their district in accordance with the provisions of the

26 & 27 Vict. Drainage and Improvement of Lands (Ireland) Act, 1863. 25
c. 88.

For the purpose of providing the said expenses of executing such works, and for compensation, and all other expenses incident thereto, the Commissioners of Public Works shall, upon the completion of such works, or whenever they think fit, from time to time, make an order declaring that the amount mentioned in such order shall be charged upon the lands in the district of the drainage board which executed the works, and the proprietors thereof respectively; and in such order the Commissioners shall declare the parties by whom and the respective proportions in which the amount mentioned in such order shall be paid, and, where any moneys have been lent by the Commissioners, the time or times of repayment to the Commissioners. In making such order, the Commissioners shall have regard to the final award under the Drainage and Improvement of Lands Act (Ireland), 1863, in the district for which such order shall be made; and the Commissioners may also insert in any such order all such other determinations, matters, and things as they may think necessary and proper.

29 & 30 Vict. Every such order made by the Commissioners under this Act shall c. 49. have all the force and validity of a charging order made by them under the Drainage Maintenance Act, 1860.

Drainage Boards
(Ireland) Additional
Powers.

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*(Proposed and brought in by
Mr. Alan Clarke and Local Government.)*

Ordered, by the House of Commons, to Print;—
16 July 1888.

[See 1888]
Order 1, or.